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44909 7590 06/11/2007 WOLF, BLOCK, SCHORR & SOLIS-COHEN LLP 250 PARK AVENUE NEW YORK, NY 10177			EXAMINER PESIN, BORIS M	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/031,794

Applicant(s)

REFUAH, AVIV

Examiner

Boris Pesin

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/16/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-73 and 75-78 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-73 and 75-78 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This communication is responsive to the amendment filed 3/16/2007.

Claims 1-73, and 75-78 are pending in this application. Claims 1, 47, 56, and 64 are independent claims. In the amendment filed 3/16/2007, Claims 1 and 47 were amended. This action is made Final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

The Office notes that the factual assertion set forth under the Official Notice in the office action dated 10/16/2006 has not been contested.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 77 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

There is no indication in the specification that the Applicant's invention was meant to exclude operating system programs. It seems that the negative limitation in

claim was solely introduced for the purposes of attempting to circumvent the art cited. Since there is no support for the claim, no art rejection will be applied to claim 77.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 56-67 are rejected under 35 U.S.C. 102(a) as being anticipated by Estabrook, Noel (Sams' Teach Yourself Microsoft Internet Explorer 4 in 24 Hours).

In regards to claim 56, Estabrook teaches a method of interacting with an existing program (i.e. operating system), comprising: executing a browser (Page 84, "Navigate Your PC with the Address Bar"); entering a command directed to said program, using said browser, not through a browser interface associated with said program (Page 84, "Navigate Your PC with the Address Bar"); and receiving a response to said command from said program (Page 84, "Navigate Your PC with the Address Bar" i.e. shows results for "my computer").

In regards to claim 57, Estabrook teaches a method according to claim 56, wherein said response is displayed by said browser (Page 84, "Navigate Your PC with the Address Bar" i.e. shows results for "my computer").

In regards to claim 58, Estabrook teaches a method according to claim 56, wherein said software comprises a software executing on a same machine as said browser (i.e. the operating system).

In regards to claim 59, Estabrook teaches a method according to claim 56, wherein said software comprises a software executing on machine remote from a machine executing said browser (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet" other server's operating systems).

In regards to claim 60, Estabrook teaches a method according to claim 59, wherein said two machines are connected via the Internet (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet" other server's operating systems).

In regards to claim 61, Estabrook teaches a method according to claim 56, wherein said command is entered into a URL field of said browser (Page 84, "Navigate Your PC with the Address Bar").

In regards to claim 62, Estabrook teaches a method according to claim 56, wherein said command is entered by interacting with a graphical display on said browser (Page 84, "Navigate Your PC with the Address Bar").

In regards to claim 63, Estabrook teaches a method according to claim 62, wherein said graphical display is generated by a program executing on a computer remote from a computer executing said browser (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet" generated by remote servers).

In regards to claim 64, Estabrook teaches a method of browsing comprising; providing a WWW browser (Page 84, "The Internet"); displaying a graphical display of a

WWW page using said browser, which browser behaves under a first behavior (Page 84, "The Internet"); and modifying said first behavior to a second behavior by entering to said browser a text command directed to modify presentation of a WWW page; such that presentation of a WWW page under the second behavior would be different than under the first behavior (Page 84, "The Internet", if the users enters a different web page it will behave differently from a first web page, stated differently, entering another web address will make the web browser behave (i.e. display) information differently because it is a different page. If the Applicant means that the WWW page remains constant, the claims need to be clarified)

In regards to claim 65, Estabrook teaches a method according to claim 64, wherein said command modifies a display attribute of said browser (Page 84, "Navigate Your PC with the Address Bar" shows the results of the command).

In regards to claim 66, Estabrook teaches a method according to claim 64, wherein said command modifies a URL interpretation function of said browser (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet", and "Network Neighborhood").

In regards to claim 67, Estabrook teaches a method according to claim 66, wherein said URL interpretation function comprises a URL completion function (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet", goes to a URL, i.e. completes the URL).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-8, 11-51, and 53-55, 68-73, 75-76 and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Estabrook, Noel (Sams' Teach Yourself Microsoft Internet Explorer 4 in 24 Hours) in view of Moran, Joseph (Use Windows 98's Address Bar to Its Potential).

In regards to claim 1, Estabrook teaches a method of entering a command directed to achieve an action, comprising: providing a WWW browser having a window with a designated URL field and a graphical display area (Page 83, "Using the Address Bar" and Figure 9.5 Page 132); entering a text string representing a command in a format which is neither a standard URL nor a portions thereof, into said designated URL field (Page 83, "Using the Address Bar"); and translating, by machine, said command into at least one action (Page 83, "Using the Address Bar"). Estabrook does not

specifically disclose wherein said action is directed to one or both of modifying files and copying files. Moran teaches, "When you want to run an internal DOS command from the Address bar, preface the command with the plus sign, for example, + copy c:\autoexec.bat c:\windows\temp, or + dir c:\windows." (Pages 3 and 4) It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Estabrook with the teachings of Moran and include actions that are directed to one or both of modifying files and copying files with the motivation to provide the user with an easier method of performing specific actions.

In regards to claim 2, Estabrook teaches a method according to claim 1, wherein said command comprises a command to generate a search specification URL (Page 84, "Navigate Your PC with the Address Bar").

In regards to claim 3, Estabrook teaches a method according to claim 1, wherein said command is directed to executing a program (Page 84, "Navigate Your PC with the Address Bar").

In regards to claim 4, Estabrook teaches a method according to claim 1, wherein said command is directed to modifying the action of a currently executing program (Page 84, "Navigate Your PC with the Address Bar").

In regards to claim 5, Estabrook teaches a method according to claim 1 wherein said command is directed to modifying a behavior of said WWW browser (Page 84, "Navigate Your PC with the Address Bar").

In regards to claim 6, Estabrook teaches a method according to claim 1, wherein said command is directed to affecting a translation of a future command into an action (Page 84, "Navigate Your PC with the Address Bar").

In regards to claim 7, Estabrook teaches a method according to claim 1, wherein said action is carried out by an operating system under which said browser is executing (inherent in Estabrook).

In regards to claim 8, Estabrook teaches a method according to claim 1, wherein said action has a physical manifestation outside of computer hardware (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet", and "Network Neighborhood").

In regards to claim 11, Estabrook teaches a method according to claim 1, wherein said action is performed on a same computer as is executing said browser (Page 84, "Navigate Your PC with the Address Bar").

In regards to claim 12, Estabrook teaches a method according to claim 1, wherein said action is performed on a computer remote from a computer executing said browser (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet", and "Network Neighborhood").

In regards to claim 13, Estabrook teaches a method according to claim 1, wherein said command is translated on a same computer as is executing said browser (Page 84, "Navigate Your PC with the Address Bar", the commands for the PC are on the PC).

In regards to claim 14, Estabrook teaches a method according to claim 1, wherein said command is translated on a computer remote from a computer executing said browser (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet", and "Network Neighborhood").

In regards to claim 15, Estabrook teaches a method according to claim 1, comprising parsing said text to yield said command (inherent in Estabrook).

In regards to claim 16, Estabrook teaches a method according to claim 15, wherein said parsing is performed on a computer remote from a computer executing said browser (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet", and "Network Neighborhood").

In regards to claim 17, Estabrook teaches a method according to claim 15, wherein said parsing is performed on a same computer as executes said browser (Page 84, "Navigate Your PC with the Address Bar", the commands for the PC are on the PC).

In regards to claim 18, Estabrook teaches a method according to claim 1, wherein said action is affected by a context (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet", and "Network Neighborhood").

In regards to claim 19, Estabrook teaches a method according to claim 18, wherein said context affects said translation (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet", and "Network Neighborhood").

In regards to claim 20, Estabrook teaches a method according to claim 18, wherein said context affects a parsing of said text into said command (Page 84,

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"Navigate Your PC with the Address Bar", i.e. "The Internet", and "Network Neighborhood" the command is parsed based on context).

In regards to claim 21, Estabrook teaches a method according to claim 18, wherein said context affects one or more parameters associated with said command (Page 84, "Navigate Your PC with the Address Bar", the command is affects based on which one is chosen).

In regards to claim 22, Estabrook teaches a method according to claim 18, wherein said context comprises a virtual personality associated with a user using said browser (Page 84, "Navigate Your PC with the Address Bar", the current user of the computer has a virtual user associated with him, i.e. logged on user).

In regards to claim 23, Estabrook teaches a method according to claim 18, wherein said context comprises a page displayed by said browser (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet", and "Network Neighborhood").

In regards to claim 24, Estabrook teaches a method according to claim 18, wherein said context comprises a state of at least one software package other than said browser (Page 84, "Navigate Your PC with the Address Bar", i.e. the operating system).

In regards to claim 25, Estabrook teaches a method according to claim 24, wherein said software package is executing on a same computer as said browser (Page 84, "Navigate Your PC with the Address Bar", i.e. the operating system).

In regards to claim 26, Estabrook teaches a method according to claim 18, wherein said context comprises a current state of affairs (Page 84, "Navigate Your PC with the Address Bar", i.e. the operating system).

In regards to claim 27, Estabrook teaches a method according to claim 18, wherein said context comprises a history of a state of affairs (Page 84, "Navigate Your PC with the Address Bar", i.e. the operating system has different history states such as the buttons the user has pressed).

In regards to claim 28, Estabrook teaches a method according to claim 27, wherein said history comprises a history of actions by a machine (Page 84, "Navigate Your PC with the Address Bar", i.e. the operating system has different history states such as the buttons the user has pressed).

In regards to claim 29, Estabrook teaches a method according to claim 27, wherein said history comprises a history of data display (Page 131-132, "Your History").

In regards to claim 30, Estabrook teaches a method according to claim 27, wherein said history comprises a history of user input (Page 131-132, "Your History").

In regards to claim 31, Estabrook teaches a method according to claim 1, wherein said command has an effect on future actions dictated by future commands (Page 84, "Navigate Your PC with the Address Bar", i.e. my computer).

In regards to claim 32, Estabrook teaches a method according to claim 1, wherein said text contains said command in an explicit manner (Page 84, "Navigate Your PC with the Address Bar", i.e. "my computer").

In regards to claim 33, Estabrook teaches a method according to claim 1, wherein said text contains said command in an implicit manner (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet").

In regards to claim 34, Estabrook teaches a method according to claim 33, wherein said command is determined responsive to an identification of a type of data comprises in the text string (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet").

In regards to claim 35, Estabrook teaches a method according to claim 1, wherein said command comprise a natural language format command (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet").

In regards to claim 36, Estabrook teaches a method according to claim 1, wherein said command comprises a fixed format command (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet").

In regards to claim 37, Estabrook teaches a method according to claim 1, comprising displaying a graphical display on said browser responsive to said action (Page 84, "Navigate Your PC with the Address Bar").

In regards to claim 38, Estabrook teaches a method according to claim 37, wherein said display comprises a result of said action (Page 84, "Navigate Your PC with the Address Bar").

In regards to claim 39, Estabrook teaches a method according to claim 37, wherein said display comprises a status report on said action (Page 84, "Navigate Your PC with the Address Bar").

In regards to claim 40, Estabrook teaches a method according to claim 37, wherein said display is displayed asynchronously (Page 84, "Navigate Your PC with the Address Bar").

In regards to claim 41, Estabrook teaches a method according to claim 37, wherein said display is generated on a same computer as is executing said browser Page 84, "Navigate Your PC with the Address Bar").

In regards to claim 42, Estabrook teaches a method according to claim 37, wherein said display is generated on a computer remote from a computer executing said browser (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet", and "Network Neighborhood").

In regards to claim 43, Estabrook teaches a method according to claim 37, wherein said display comprises a request to clarify said action (Page 84, "Navigate Your PC with the Address Bar", i.e. drop down list).

In regards to claim 44, Estabrook teaches a method according to claim 37, wherein said display is modified in real-time responsive to said command (Page 84, "Navigate Your PC with the Address Bar", i.e. my computer).

In regards to claim 45, Estabrook teaches a method according to claim 44, wherein said display comprises a multi-media stream (Page 84, "Navigate Your PC with the Address Bar", i.e. "c:" and "d:").

In regards to claim 46, Estabrook teaches a method according to claim 37, wherein said display modified a previously displayed data page on said browser Page 84, "Navigate Your PC with the Address Bar", i.e. whatever was on the screen changes to the current command's results).

In regards to claim 47, Estabrook teaches a method of performing an action, comprising: providing a text string in a location reserved for a standard URL in a

browser comprising said location and a graphical display (Page 84, "Navigate Your PC with the Address Bar" and Figure 9.5 Page 132); parsing said string to determine a command directed to achieve said action at a location other than a domain indicated by said string (Page 84, "Navigate Your PC with the Address Bar"); and executing said command to perform said action (Page 84, "Navigate Your PC with the Address Bar" i.e. my computer). Estabrook does not specifically teach that the action includes one or more of modifying files, and copying data. Moran teaches, "When you want to run an internal DOS command from the Address bar, preface the command with the plus sign, for example, + copy c:\autoexec.bat c:\windows\temp, or + dir c:\windows." (Pages 3 and 4) It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Estabrook with the teachings of Moran and include actions that are directed to one or both of modifying files and copying files with the motivation to provide the user with an easier method of performing specific actions.

In regards to claim 48, Estabrook teaches a method according to claim 47, wherein said string is a standard URL (Page 84, "Navigate Your PC with the Address Bar" i.e. (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet", and "Network Neighborhood").

In regards to claim 49, Estabrook teaches a method according to claim 47, wherein said string is not a standard URL (Page 84, i.e. "my computer").

In regards to claim 50, Estabrook teaches a method according to claim 47, wherein providing said text string comprises entering said string in a input field for a URL (Page 84, "Navigate Your PC with the Address Bar").

In regards to claim 51, Estabrook teaches a method according to claim 47, wherein providing said text string comprises providing said string in parameter position reserved for a URL in a network programming language (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet", and "Network Neighborhood").

In regards to claim 53, Estabrook teaches a method according to claim 47, wherein said language comprises HTML (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet").

In regards to claim 54, Estabrook teaches a method according to claim 1, wherein said browser displays live information from the Internet (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet").

In regards to claim 55, Estabrook teaches a method according to claim 12, wherein said remote computer communicates with said browser over the Internet (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet").

In regards to claim 68, Estabrook teaches a method wherein said command includes manipulating files (Page 84, "Navigate Your PC with the Address Bar" i.e. shows results for "my computer" also "The Internet", goes to a URL).

In regards to claim 69, Estabrook teaches a method according to claim 1 wherein said command includes executing programs (Page 84, "Navigate Your PC with the Address Bar" i.e. my computer).

In regards to claim 70, Estabrook teaches a method according to claim 1 wherein said command comprises instructions to software other than the browser, the software

running simultaneously with the browser on the computer (Page 84, "Navigate Your PC with the Address Bar" i.e. my computer, control panel).

In regards to claim 71, Estabrook teaches a method according to claim 1 wherein in response to said command a page is generated for display with said browser (Page 84, "Navigate Your PC with the Address Bar" i.e. my computer, control panel).

In regards to claim 72, Estabrook and Moran teach a method according to claim 56 wherein the command is entered to a designated URL field of the browser in a format which is neither a standard URL nor portions thereof (Moran "When you want to run an internal DOS command from the Address bar, preface the command with the plus sign, for example, + copy c:\autoexec.bat c:\windows\temp, or + dir c:\windows." (Pages 3 and 4)).

In regards to claim 73, Estabrook teaches a method according to claim 12, wherein said remote computer is connected to a computer executing said browser via an internet (Page 84, "Navigate Your PC with the Address Bar", i.e. "The Internet" generated by remote servers).

In regards to claim 75, Estabrook teaches a method according to claim 1 wherein said action is not of a computer hardware (Page 84, "Navigate Your PC with the Address Bar" i.e. shows results for "my computer" also "The Internet", goes to a URL).

In regards to claim 76, Estabrook and Moran teaches a method according to claim 1, wherein said designation is a standard designation (Moran "When you want to run an internal DOS command from the Address bar, preface the command with the

plus sign, for example, + copy c:\autoexec.bat c:\windows\temp, or + dir c:\windows.”
(Pages 3 and 4)).

In regards to claim 76, Estabrook and Moran teaches a method according to claim 1, wherein said graphical display area is adapted for displaying a WWW page (Estabrook Page 132, Figure 9.5).

Claims 9, 10, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Estabrook, Noel (Sams' Teach Yourself Microsoft Internet Explorer 4 in 24 Hours) in view of Moran, Joseph (Use Windows 98's Address Bar to Its Potential).

In regards to claim 9, Estabrook and Moran teach all the limitations of claim 8. They do not specifically teach a method wherein the manifestation comprises making a telephone connection. Official notice is given that it is well known in the art to establish telephone connections using software. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Estabrook and Moran and include the ability to establish a phone connection with the motivation to allow the user to make a phone call more easily.

In regards to claim 10, Estabrook and Moran teach all the limitations of claim 8. They do not specifically teach a method wherein the manifestation comprises printing a file. Official notice is given that it is well known in the art to print a file using software. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Estabrook and Moran and include the ability to print a file with the motivation to allow the user to print a file more easily.

In regards to claim 52, Estabrook and Moran teach all the limitations of claim 51. They do not specifically teach a method wherein said language comprises Java. Official notice is given that it is well known in the art to have Java commands as inline commands. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Estabrook and Moran and include Java capability with the motivation to provide the with greater flexibility.

Response to Arguments

Applicant's arguments filed 3/16/2007 have been fully considered but they are not persuasive.

In regards to the Applicant's arguments that support for claim 77 can be found on page 2 lines 1-3 of the application as filed, the Examiner respectfully disagrees. Claim 77 recites a **requirement** that an existing program is a program other than an operating system. However, the specification states that the program can be either the operating system or other software. The specification is silent to teaching the requirement that existing program is a program other than an operating system. In other words, the Applicant has a negative limitation in the claim language that is not supported by the specification.

In regards to the Applicant's arguments that Estabrook does not teach, "entering a command ... not through a browser interface associated with said program" the

Examiner respectfully disagrees. The Applicant contends that Internet Explorer is part of the operating system because it can access My Computer. However that line of reasoning will lead to the conclusion that all software running on the computer will be associated with the operating system because all software accesses memory management and thread management of the operating system. Just because a piece of software accesses some part of the operating system does not mean that it is associated with the operating system.

In regards to the Applicant's arguments that Moran teaches against Estabrook, the Examiner respectfully disagrees. While it is true that Moran teaches that, "it can be a lot quicker [to access files by using the address bar] than going several layers into the start menu" that does not mean that he teaches away. These functionalities are different but complimentary. For instance, if a person knew exactly which file he/she wanted to access he could simply type it in to the address bar and quickly access it. However, if he did not know what the name of the file was, it would be very advantageous to see the directory listing to access the correct file.

In regards to the Applicant's argument that Moran is not prior art, the Examiner respectfully disagrees. While it is true that this article was published after the filing date of the application, it uses a technology (Windows 98), which was widely available before the filing date of the application. The Applicant further contends that Windows 98 second edition was probably used in illustrating the functionality of Windows 98, and the second edition was released after the filing date of the application. However, there is nothing in the art cited to suggest that the second edition was used in illustrating the

techniques used, and furthermore, there is ⁿnothing to suggest that the same techniques could not have been used in Windows 98 first edition if for some reason the second edition was used (which the Examiner does not concede). Lastly, the Applicant argues that Moran uses a batch file that does not predate the filing date of the Application. However, batch files were notoriously well known in the art at the time of Windows 98 and Moran does not teach that batch files were always necessary, only that they are used for internal DOS commands. Moran teaches that external DOS commands can be still executed without any batch files (See Page 3).

In regards to the Applicant's argument that Estabrook does not teach a command that is directed to affecting a translation of a future command into an action, the Examiner respectfully disagrees. Figure 6.4 shows future commands which are highlighted and will be turned into actions as soon as they are activated.

In regards to the Applicant's argument that Estabrook and Moran do not teach a physical manifestation outside of the computer hardware, the Examiner respectfully disagrees. Data signals are clearly sent when the user accesses the Internet or the Network Neighborhood. The Examiner invites the Applicant to amend the claims to clearly set out what the physical manifestation is if he does not agree with the Examiner's interpretation of physical manifestation.

In regards to the Applicant's argument with respect to claim 37, the Examiner notes that Estabrook was relied upon in making the rejection and not Moran as the Applicant states, therefore this argument is moot.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (571) 272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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BP

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